

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Gregg H. Jones Jr.
Martha R. Holley-Jones
Debtor(s)

Bankruptcy Case No.: 15-23425-JAD
Issued Per Feb. 23, 2017 Proceeding
Chapter: 13
Docket No.: 49 – 40, 48
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 16, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$4,474 as of March 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: March 3, 2017

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Gregg H. Jones, Jr.
 Martha R. Holley-Jones
 Debtors

Case No. 15-23425-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 34

Date Rcvd: Mar 03, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 05, 2017.

db/jdb aty +Gregg H. Jones, Jr., Martha R. Holley-Jones, 204 White Oak Place, Mars, PA 16046-3946
 +The Debt Doctors at Quatrini Rafferty, 941 Penn Avenue, Suite 101, Pittsburgh, PA 15222-3843
 cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive, Pittsburgh, PA 15212-5861
 14114939 +AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., PO Box 183853, Arlington TX 76096)
 14137754 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853, Arlington, TX 76096-3853
 14121230 Beneficial, PO Box 1231, Brandon, FL 33509-1231
 14121231 +Beneficial, PO Box 4153, Carol Stream, IL 60197-4153
 14115142 +Beneficial Consumer Discount Company (See B10), c/o HSBC Mortgage Services, Inc., P.O. Box 21188, Eagan, Minnesota 55121-0188
 14121232 +Bernie Jones, 204 White Oak Place, Mars, PA 16046-3946
 14121234 +Capital One Bank, PO Box 30281, Salt Lake City, UT 84130-0281
 14133611 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 14121235 +Cranberry Property, PO Box 2225, Cranberry Twp, PA 16066-1225
 14121240 +Global Vacation Network, 5320 College Blvd., Leawood, KS 66211-1621
 14121241 +HSBC Bank, PO Box 1231, Brandon, FL 33509-1231
 14121242 +HSBC Mortgage Services, Inc., PO Box 21188, Eagan, MN 55121-0188
 14142027 +MTGLQ Investors, LP, Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004
 14166498 +Magee-Womens Hospital of UPMC, 6681 Country Club Drive, Golden Valley MN 55427-4601
 14121243 +Mars Evans City Storage, 1170 Mars Evans City Rd., Mars, PA 16046-2216
 14162165 Navient Solutions Inc. on behalf of, Department of Education Services, P.O. Box 9635, Wilkes-Barre PA. 18773-9635
 14121244 +Northwest Bank, 507 Prudential Road, Horsham, PA 19044-2308
 14175443 +Peoples Natural Gas Company LLC Equitable Division, 225 North Shore Drive, Pittsburgh, PA 15212-5860, Attn: Dawn Lindner
 14121245 +Professional Account Management, 633 W. Wisconsin Avenue, Milwaukee, WI 53203-1920
 14108507 +Rushmore Service Center, P.O. Box 5508, Sioux Falls, SD 57117-5508
 14121247 +Stern & Eisenberg, PC, 1581 Main Street, Suite 200, Warrington, PA 18976-3400
 14166478 +UPMC Passavant, 6681 Country Club Drive, Golden Valley MN 55427-4601
 14166482 +UPMC Presbyterian Shadyside Hospital, 6681 Country Club Drive, Golden Valley MN 55427-4601

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 04 2017 01:26:19
 Capital One Auto Finance c/o Ascension Capital Gro, P.O. Box 201347, Arlington, TX 76006-1347
 14121233 +E-mail/PDF: AIS.COAF.EBN@Americaninfosource.com Mar 04 2017 01:26:53
 Capital One Auto Finance, P.O. Box 60511, City of Industry, CA 91716-0511
 14148816 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Mar 04 2017 01:26:19
 Capital One Auto Finance, c/o Ascension Capital Gr, P.O. Box 201347, Arlington, TX 76006-1347
 14121236 +E-mail/Text: ccusa@ccuhome.com Mar 04 2017 01:28:45 Credit Collections USA, 256 Greenbag Road, Suite 1, Morgantown, WV 26501-7158
 14121237 E-mail/Text: hariasdiaz@creditmanagementcompany.com Mar 04 2017 01:29:22
 Credit Management Company, P.O. Box 16346, Pittsburgh, PA 15242-0346
 14121238 E-mail/Text: creditonebknotifications@resurgent.com Mar 04 2017 01:28:48 Credit One Bank, P.O. Box 98873, Las Vegas, NV 89193-8873
 14121239 +E-mail/PDF: pa_dc_ed@navient.com Mar 04 2017 01:35:43 Dept of Ed/Sallie Mae, PO Box 9635, Wilkes Barre, PA 18773-9635
 14173811 E-mail/PDF: resurgentbknotifications@resurgent.com Mar 04 2017 01:26:21
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr MTGLQ Investors, LP
 cr* +AmeriCredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853
 14121229* +AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853
 (address filed with court: AmeriCredit Financial Services, Inc., d/b/a GM Financial, PO Box 183853, Arlington, TX 76096)
 14121246* +Rushmore Service Center, P.O. Box 5508, Sioux Falls, SD 57117-5508
 14166499* +UPMC Passavant, 6681 Country Club Drive, Golden Valley MN 55427-4601

TOTALS: 1, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
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Total Noticed: 34

Date Rcvd: Mar 03, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 05, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 3, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor MTGLQ Investors, LP agornall@goldbecklaw.com,
bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor MTGLQ Investors, LP bkgroup@kmlawgroup.com
Matthew M. Herron on behalf of Attorney The Debt Doctors at Quatrini Rafferty
mmh@thedebedtctors.com, hgs@thedebedtctors.com;alb@thedebedtctors.com
Matthew M. Herron on behalf of Joint Debtor Martha R. Holley-Jones mmh@thedebedtctors.com,
hgs@thedebedtctors.com;alb@thedebedtctors.com
Matthew M. Herron on behalf of Debtor Gregg H. Jones, Jr. mmh@thedebedtctors.com,
hgs@thedebedtctors.com;alb@thedebedtctors.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 8